



IN THE MATTER OF THE)
)
) **Case No. 36S00-0703MS- 76**
APPROVAL OF LOCAL RULES)
)
)
FOR JACKSON COUNTY)

The Judges of the Jackson Circuit and Superior Courts have forwarded for approval by this Court an amendment to the local rule governing the regulation of court reporter services in accordance with Ind.Administrative Rule 15. Such amendment for the Jackson Circuit and Superior Courts is set forth as an attachment to this order.

IT IS, THEREFORE, ORDERED by this Court that Jackson County Local Rule LR36-AR15-6, set forth as an attachment to this Order, is approved effective thirty (30) days after the rule has been posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. William E. Vance, Jackson Circuit Court, P.O. Box 315, Brownstown, IN 47220-0315; the Hon., Bruce Markel III, Jackson Superior Court, P.O. Box 788, Seymour, IN 47274-0788; and to the Clerk of the Jackson Circuit and Superior Courts.

The Clerk of the Jackson Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 28th day of February, 2007.

FOR THE COURT

Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

IN THE CIRCUIT AND SUPERIOR COURTS
OF JACKSON COUNTY

In the Matter of)	Cause No: 36C01-0702-CB-1
Local Rules)	Cause No: 36D01-0702-CB-1

ORDER FINDING GOOD CAUSE TO AMEND LOCAL RULES AT TIME
OTHER THAN ESTABLISHED SCHEDULE

The Judges of the Jackson Circuit Court and the Jackson Superior Court, pursuant to Trial Rule 81(D), now find that good cause exists to deviate from the schedule established by the Division of State Court Administration for posting local rule amendments and that the courts' local rule regarding compensation of court reporters. After approval by the Indiana Supreme court and after publication for 30 days in the county clerk's office and on the Indiana Judicial Website, the courts will enter an effective date for this rule amendment, as follows:

LR36-AR15-6. COMPENSATION OF COURT REPORTERS

Section One. Definitions. The following definitions shall apply under this local rule:

- (1) A *Court Reporter* is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.
- (2) *Equipment* means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
- (3) *Work space* means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
- (4) *Page* means the page unit of transcript which results when a recording is transcribed in the form by Indiana Rule of Appellate Procedure 7.2.
- (5) *Recording* means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.

- (6) *Regular hours worked* means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.
- (7) *Gap hours worked* means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per week.
- (8) *Overtime hours worked* means those hours worked that are in excess of forty (40) hours per week.
- (9) *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
- (10) *Court* means the particular court for which the court reporter performs services. Court may also mean all of the courts in Jackson County.
- (11) *County indigent transcript* means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- (12) *State indigent transcript* means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- (13) *Private transcript* means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

Section Two. Salaries and Per Page Fees

- (1) Court Reporters shall be paid an annual salary for time working under the control, direction and direct supervision of their supervising court during regular work hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporters are to be compensated for gap and overtime hours; i.e. monetary compensation or compensatory time off regular work hours.
- (2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be ~~\$3.00~~ \$3.50; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.
- (3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be ~~\$3.00~~ \$3.50.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be ~~\$3.00~~ \$3.50.
- (5) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.
- (6) All court transcript preparation work shall be preformed outside of regular working hours.

Section Three. Private Practice

- (1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, the court reporter shall not use any equipment owned by the court or any governmental entity.
- (2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private work shall be conducted outside of regular working hours.

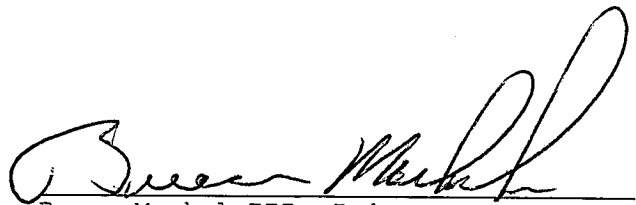
These rules shall not take effect until posted for thirty (30) days in the Jackson County clerk's office as well as the Indiana Judicial Website and have been approved by the Chief Justice of the Supreme Court of Indiana.

Pursuant to T.R. 81(B)(1), the courts shall receive comments to this rule.

So ordered this THIRTEENTH day of FEBRUARY, 2007.



William E. Vance, Judge
Jackson Circuit Court



Bruce Markel III, Judge
Jackson Superior Court